

RECEIVED

Nov 25 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable Jessica A. Salvini, Circuit Court Judge

Joshua Hawkins.....Appellant,

v.

Delta Airlines.....Respondent.

Appeal No. 2025-001494

MOTION FOR EXTENSION OF TIME TO FILE AND SERVE APPELLANT’S INITIAL BRIEF

The appellant respectfully requests that the Appellate Court grant an extension of time for the appellant to file his Initial Brief, currently due on November 17, 2025. This motion and request are made pursuant SCACR 263(b).¹ The transcripts in this matter were filed with the Court of Appeals on October 16, 2025. The deadline was not properly calendared within the undersigned’s office. The undersigned respectfully submits that his office is currently preparing for two upcoming jury trials, acknowledges the error, and humbly requests that an extension be granted in the interest of justice so that the appeal may be decided on the merits. This oversight was inadvertent, and an extension will not cause prejudice to the parties. The undersigned has consulted

¹ The undersigned believes the motion must be made pursuant to SCACR 263 and not SCACR 260 because the appeal has not been dismissed. Should the Court determine a motion is necessary pursuant to SCACR 260, the undersigned respectfully moves for relief pursuant that Appellate Court Rule.

with counsel for the respondent in an attempt to gain consent to the motion, but has been unable to gain consent as shown by the emails between the parties, attached hereto as Exhibit A.

WHEREFORE, the appellant respectfully requests that this Court grant an extension of Thirty (30) days from the current deadline for the filing of the Appellant's Brief, making it due on December 17, 2025.

Respectfully submitted,

s/Joshua T. Hawkins
Joshua T. Hawkins, S.C. Bar #78470
Helena L. Jedziniak, S.C. Bar #100825
Hawkins & Jedziniak, LLC
1225 South Church Street
Greenville, South Carolina 29605
(864) 275-8142 (telephone)
(864) 752-0911 (facsimile)
josh@hjllesc.com
helena@hjllesc.com

November 25, 2025
Greenville, SC

Attorneys for Appellant

CC:

Brian M. Peters, Jr.
WILKES, ATKINSON, & JOYNER, LLC
127 Dunbar Street
Spartanburg, SC 29306
(864)-591-2355 (Telephone)
bpeters@wajlawfirm.com

Attorney for Respondent

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Paralegal

From: Judy Saad <jsaad@wajlawfirm.com>
Sent: Tuesday, November 25, 2025 9:25 AM
To: Josh Hawkins
Cc: Sulaiman Ahmad; Brian Peters; Paralegal; Helena Jedziniak; Dan Atkinson
Subject: RE: Hawkins v. Delta Air Lines, Inc. / 2025-001494- Motion to Dismiss

SENT ON BEHALF OF BRIAN PETERS:

Josh,

I am out of the office this week. We do not have authority to consent at this time. Additionally, we do not believe the issue can be resolved by consent. Under Rule 263, time cannot be extended by consent of the parties. We believe you are required to file a Motion to Reinstate under Rule 260, and the Court must determine whether there is good cause. We will look into this more next week when I return to the office.

Sincerely,
Brian

Judy Saad

Paralegal



864.591.2355 Spartanburg
843.737.6229 Charleston

127 Dunbar St. | Ste 200 | Spartanburg, SC 29306
320 Broad St. | Ste 220 | Charleston, SC 29401

jsaad@wajlawfirm.com
www.wajlawfirm.com

From: Josh Hawkins <josh@hjlsc.com>
Sent: Monday, November 24, 2025 5:30 PM
To: Judy Saad <jsaad@wajlawfirm.com>
Cc: Sulaiman Ahmad <ahmad@hjlsc.com>; Brian Peters <bpeters@wajlawfirm.com>; Paralegal <Paralegal@hjlsc.com>; Helena Jedziniak <Helena@hjlsc.com>
Subject: Re: Hawkins v. Delta Air Lines, Inc. / 2025-001494- Motion to Dismiss

Brian,

Candie and I have been trying to figure out what happened - this was not on the calendar. I am going to file a motion for extension. Will you consent to that since I consented when you asked for my consent to an extension? We can get the motion filed tomorrow.

Sincerely,

Joshua T. Hawkins
Hawkins & Jedziniak, LLC
1225 South Church Street
Greenville, South Carolina 29605
p: (864) 275-8142
f: (864) 752-0911

On Nov 24, 2025, at 4:40 PM, Judy Saad <jsaad@wajlawfirm.com> wrote:

Good afternoon,

Attached please find Respondent's *Motion to Dismiss* and *Proof of Service* in the referenced case.

Counsel for Appellant is copied on this email. If you have any questions, please advise.

Thank you,
Judy Saad

Judy Saad

Paralegal



864.591.2355 Spartanburg
843.737.6229 Charleston

127 Dunbar St. | Ste 200 | Spartanburg, SC 29306
320 Broad St. | Ste 220 | Charleston, SC 29401

jsaad@wajlawfirm.com
www.wajlawfirm.com

<11.24.2025 Motion to Dismiss Appeal (Final).pdf><Proof of Service 11-24-25.pdf>

RECEIVED

Nov 25 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable Jessica A. Salvini, Circuit Court Judge

Joshua Hawkins.....Appellant,

v.

Delta Airlines.....Respondent.

Appeal No. 2025-001494

PROOF OF SERVICE

I certify that I have served a copy of the Motion for Extension of Time to File and Serve Appellant’s Initial Brief electronically to the Court of Appeals, at ctappfilings@sccourts.org, and to the following attorneys of record for the Respondents to the following electronic addresses, on this date November 25, 2025:

Brian M. Peters, Jr.
WILKES, ATKINSON, & JOYNER, LLC
127 Dunbar Street
Spartanburg, SC 29306
(864)-591-2355 (Telephone)
bpeters@wajlawfirm.com

Attorney for Respondent

CC:

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

s/Joshua T. Hawkins

Joshua T. Hawkins, S.C. Bar #78470

Helena L. Jedziniak, S.C. Bar #100825

HAWKINS & JEDZINIAK, LLC

1225 South Church Street

Greenville, South Carolina 29605

(864) 275-8142 (telephone)

Attorneys for Appellant